

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

SENATE ENROLLED ACT No. 625

AN ACT to amend the Indiana Code concerning natural and cultural resources.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 14-8-2-107 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 107. "Fund" has the following meaning:

- (1) For purposes of IC 14-9-5, the meaning set forth in IC 14-9-5-1.
- (2) For purposes of IC 14-9-8-21, the meaning set forth in IC 14-9-8-21.
- (3) For purposes of IC 14-9-9, the meaning set forth in IC 14-9-9-3.
- (4) For purposes of IC 14-12-1, the meaning set forth in IC 14-12-1-1.
- (5) For purposes of IC 14-12-2, the meaning set forth in IC 14-12-2-2.
- (6) For purposes of IC 14-12-3, the meaning set forth in IC 14-12-3-2.
- (7) For purposes of IC 14-13-1, the meaning set forth in IC 14-13-1-2.
- (8) For purposes of IC 14-13-2, the meaning set forth in IC 14-13-2-3.
- (9) For purposes of IC 14-19-4, the meaning set forth in IC 14-19-4-1.

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- (10) For purposes of IC 14-19-5, the meaning set forth in IC 14-19-5-1.
- (11) For purposes of IC 14-20-1, the meaning set forth in IC 14-20-1-3.
- (12) For purposes of IC 14-20-11, the meaning set forth in IC 14-20-11-2.
- (13) For purposes of IC 14-22-3, the meaning set forth in IC 14-22-3-1.
- (14) For purposes of IC 14-22-4, the meaning set forth in IC 14-22-4-1.
- (15) For purposes of IC 14-22-5, the meaning set forth in IC 14-22-5-1.
- (16) For purposes of IC 14-22-8, the meaning set forth in IC 14-22-8-1.
- (17) For purposes of IC 14-22-34, the meaning set forth in IC 14-22-34-2.
- (18) For purposes of IC 14-23-3, the meaning set forth in IC 14-23-3-1.
- (19) For purposes of IC 14-23-8, the meaning set forth in IC 14-23-8-1.**
- (20) For purposes of IC 14-25-2-4, the meaning set forth in IC 14-25-2-4.
- ~~(20)~~ **(21)** For purposes of IC 14-25-10, the meaning set forth in IC 14-25-10-1.
- ~~(21)~~ **(22)** For purposes of IC 14-25-11-19, the meaning set forth in IC 14-25-11-19.
- ~~(22)~~ **(23)** For purposes of IC 14-28-5, the meaning set forth in IC 14-28-5-2.
- ~~(23)~~ **(24)** For purposes of IC 14-31-2, the meaning set forth in IC 14-31-2-5.
- ~~(24)~~ **(25)** For purposes of IC 14-25-12, the meaning set forth in IC 14-25-12-1.
- ~~(25)~~ **(26)** For purposes of IC 14-33-14, the meaning set forth in IC 14-33-14-3.
- ~~(26)~~ **(27)** For purposes of IC 14-33-21, the meaning set forth in IC 14-33-21-1.
- ~~(27)~~ **(28)** For purposes of IC 14-34-6-15, the meaning set forth in IC 14-34-6-15.
- ~~(28)~~ **(29)** For purposes of IC 14-34-14, the meaning set forth in IC 14-34-14-1.
- ~~(29)~~ **(30)** For purposes of IC 14-37-10, the meaning set forth in IC 14-37-10-1.



SECTION 2. IC 14-8-2-208 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 208. "Political subdivision" has the following meaning:

- (1) For purposes of IC 14-12-1, the meaning set forth in IC 14-12-1-2.
- (2) For purposes of IC 14-20-1, the meaning set forth in IC 14-20-1-4.
- (3) For purposes of IC 14-32-8, the meaning set forth in IC 14-32-8-2.**

SECTION 3. IC 14-8-2-216, AS AMENDED BY HEA 1384, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 216. (a) "Program", for purposes of IC 14-12-3, has the meaning set forth in IC 14-12-3-4.

(b) "Program", for purposes of IC 14-23-6.5, has the meaning set forth in IC 14-23-6.5-1.

(c) "Program", for purposes of IC 14-32-8, has the meaning set forth in IC 14-32-8-3.

SECTION 4. IC 14-32-8 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]:

Chapter 8. Clean Water Indiana Program

Sec. 1. As used in this chapter, "fund" means the clean water Indiana fund established by this chapter.

Sec. 2. As used in this chapter, "political subdivision" means a county, township, city, or town.

Sec. 3. As used in this chapter, "program" means the clean water Indiana program established by this chapter.

Sec. 4. The clean water Indiana program is established. The division of soil conservation shall administer the program subject to the direction of the board.

Sec. 5. The purpose of the program is to provide financial assistance to:

- (1) land occupiers; and**
- (2) conservation groups;**

to implement conservation practices to reduce nonpoint sources of water pollution through education, technical assistance, training, and cost sharing programs.

Sec. 6. (a) The clean water Indiana fund is established to carry out the purposes of this chapter. The fund shall be administered by the division of soil conservation subject to the direction of the board.

(b) The fund consists of:



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- (1) amounts appropriated by the general assembly; and
- (2) donations, grants, and money received from any other source.

(c) The expenses of administering the fund shall be paid from money in the fund.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

Sec. 7. Money in the fund may be spent in the following ways:

- (1) To increase district technical assistance in local conservation efforts.
- (2) To develop an environmental stewardship program to assist land occupiers in complying with environmental regulations voluntarily.
- (3) To qualify for federal matching funds for county soil survey computerization.
- (4) To provide for the following cost sharing programs:
 - (A) A program to encourage land occupiers to implement conservation practices to reduce nutrient, pesticide, and sediment runoff.
 - (B) Programs that encourage land occupiers to implement nutrient management programs by sharing the cost of any of the following:
 - (i) Fencing for intensive grazing systems.
 - (ii) Purchasing nutrient management equipment.
 - (iii) Voluntary environmental audits.
 - (iv) Other similar expenditures related to nutrient management.
- (5) To provide matching grants to districts for the following:
 - (A) Professional watershed coordinators to facilitate and administer local watershed protection projects.
 - (B) District managers to administer district conservation policies and programs.
- (6) To increase state technical and capacity building assistance to districts and local conservation efforts by providing for the following:
 - (A) Capacity building specialists to train district personnel in grant writing, grant administration, and leadership development.
 - (B) Conservation education specialists to help implement district conservation education efforts.
 - (C) Urban storm water specialists to provide technical assistance to developers to contain soil erosion on



construction sites.

(7) To make distributions as provided under section 8 of this chapter.

Sec. 8. (a) In addition to funds provided to a district under section 7 of this chapter or from any other source the division of soil conservation shall pay to the district one dollar (\$1) for every one dollar (\$1) the district receives from a political subdivision.

(b) The state is not obligated to match more than ten thousand dollars (\$10,000) under this section.

(c) In order to receive funding under this section, before April 15 of each year a district must certify to the division of soil conservation the amount of money the district received from all political subdivisions during the one (1) year period beginning April 1 of the previous year. The division of soil conservation shall make distributions under this section not later than July 15 of each year.

(d) Before making distributions under this section the division of soil conservation shall determine the total amount of money that has been certified by all districts as having been provided by political subdivisions. If the cumulative amount to be distributed to all districts exceeds the amount appropriated to the fund, the division of soil conservation shall reduce the distribution to each district proportionately.

(e) A district must spend money received under this section for the purposes of the district.

Sec. 9. The districts shall coordinate with the division of soil conservation to compile and provide a report to the executive director of the legislative services agency each year. The report must describe:

- (1) the expenditures of the clean water Indiana fund; and
- (2) the number, type, status, and effectiveness of conservation efforts funded by the clean water Indiana program.

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